

SENATE BILL 3057
By Bowers

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 68, relative to diabetes care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-1-302, is amended by adding the following as a new subsection (m):

(m) The state board shall adopt guidelines for the development and implementation of individual diabetes care plans. The state board shall consult with the department of health in the development of these guidelines. The state board also shall consult with local education agency (LEA) employees who have been designated as responsible for coordinating their individual LEA's efforts to comply with federal regulations adopted under Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. §794. In its development of these guidelines, the state board shall refer to the guidelines recommended by the American Diabetes Association for the management of children with diabetes in the school and day care setting and shall consider recent resolutions by the United States department of education's office of civil rights of investigations into complaints alleging discrimination against students with diabetes.

The guidelines adopted by the state board shall include:

(1) Procedures for the development of an individual diabetes care plan at the written request of the student's parent or guardian, and involving the parent or guardian, the student's health care provider, the student's classroom teacher, the student if appropriate, the school nurse if available, and other appropriate school personnel.

(2) Procedures for regular review of an individual care plan.

(3) Information to be included in a diabetes care plan, including the responsibilities and appropriate staff development for teachers and other school personnel, an emergency care plan, the identification of allowable actions to be taken, the extent to which the student is able to participate in the student's diabetes care and management, and other information necessary for teachers and other school personnel in order to offer appropriate assistance and support to the student. The state board shall ensure that the information and allowable actions included in a diabetes care plan as required in this subdivision meet or exceed the American Diabetes Association's recommendations for the management of children with diabetes in the school and day care setting and are consistent with Section 49-5-415.

(4) Information and staff development to be made available to teachers and other school personnel in order to appropriately support and assist students with diabetes.

(5) The state board shall ensure that these guidelines are updated as necessary and shall ensure that the guidelines and any subsequent changes are published and disseminated to local school administrative units.

SECTION 2. Tennessee Code Annotated, Section 49-5-415(d), is amended by adding the following as a new subdivision (10):

(10) LEAs shall ensure that the guidelines adopted by the state board of education under Section 49-1-302(m) are implemented in schools in which students with diabetes are enrolled. In particular, the LEAs shall require the implementation of the procedures set forth in those guidelines for the development and implementation of individual diabetes care plans. LEAs also shall make available necessary information and staff development to teachers and school personnel in order to appropriately

support and assist students with diabetes in accordance with their individual diabetes care plans.

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it.